

Sec. 5. This act being deemed of immediate importance, shall be in force from and after its publication in the Iowa Register and Homestead, newspapers published in Des Moines.

Approved April 8, 1868.

I hereby certify that the foregoing act was published in the *Iowa State Register* April 29, 1868, and in *The Iowa Homestead* May 6, 1868.

ED WRIGHT, *Secretary of State*.

CHAPTER 196.

TAXATION OF RAILROAD COMPANIES.

AN ACT to Repeal Section 16 of Chapter 173, Laws of Ninth General Assembly, regulating the Levy and Collection of Tax on Gross Receipts of Railroad Companies, and to Enact a Substitute therefor. APRIL 8.

SECTION 1. *Be it enacted by the General Assembly of the State of Iowa*, That section sixteen of chapter one hundred and seventy-three of laws of Ninth General Assembly be and the same is hereby repealed, and the following substituted therefor: Section 16. Each railroad company in the State shall annually, on or before the fifteenth day of February, file in the office of the Treasurer of State a sworn statement setting forth: first, the gross receipts of their railroad without reduction of expenses for the year ending on the thirty-first day of December preceding; second, the number of miles of their railroad in each county on the thirty-first day of December preceding; which said statement shall be sworn to by the secretary and treasurer of such company and by the general superintendent of their railroad. And the Treasurer of State shall levy on said gross receipts, a tax of one per centum, which the said railroad companies shall pay on or before the last day of February, after which time the said taxes shall become delinquent, and the same penalties and interest shall attach as on other taxes. After the said taxes become delinquent, the Treasurer of State shall proceed to collect the same, in the same manner and with the same rights and powers as a sheriff may on execution. One-half of said taxes,

Apportionment to counties.

In case of failure to make statement, Treasurer to ascertain the gross receipts and make assessment.

Seizure and sale.

Aud. to draw warrant for Treasurer's expenses.

Taxes for road-bed, rolling-stock, &c.

Other taxes.

Taking effect.

levied and collected as aforesaid, shall be equally apportioned by the Treasurer of State to the several counties through which the said roads respectively run, in proportion to the number of miles of main track of road in each county, and shall be paid over by him to the county treasurer of such county. If any railroad company shall fail to make the sworn statement required by this act, the Treasurer of State shall ascertain as near as may be the gross receipts of such delinquent company, and assess thereupon the said one per centum, and shall seize and levy upon the whole or any part of the property, rights, and franchises of such company, and, after giving ten days' public notice of the time and place of sale, shall proceed to sell the same at public auction, to satisfy the amount of said assessment, together with all costs and expenses incurred in making the assessment and sale. The Auditor of State shall draw a warrant upon the general revenue payable to the order of the Treasurer of State for the necessary expenses incurred by him in either the assessment or the collection of the taxes as required by this act. The tax herein provided for shall be in lien of all taxes for any and all purposes on the road-bed, track, rolling stock, and necessary buildings for operating their road. But other property belonging to such company, whether personal or real, shall be taxed as property of individuals in the respective counties in which the same may lie.

SEC. 2. This act, being deemed by the General Assembly of immediate importance, shall be in force from and after its publication in the *Daily State Register* and *The Iowa Evening Statesman*, newspapers published at Des Moines city, Iowa.

Approved April 8, 1868.

I hereby certify that the foregoing act was published in *The Iowa Evening Statesman* April 28, 1868, and in the *Daily State Register* April 29, 1868.

ED WRIGHT, *Secretary of State.*